

Fact Sheet #1, version 9: Leave and workforce flexibilities for COVID-19 response

July 18, 2022

This fact sheet provides guidance to help protect NARA staff and reduce the spread of the 2019 novel coronavirus disease (COVID-19) in the workplace. This version has been updated to incorporate changes in COVID travel policy requiring an employee to quarantine or isolate at the temporary duty location by replacing "home isolation" with "isolation", adding a definition of "known" close contact, and modifying the travel guidance in the table that occurs after paragraph 2d. This version also clarifies that employees are required to test after a known close contact only if they are needed to work onsite or interact with the public in an official capacity in the 10 full days following the close contact. This version removes references to "informal accommodations", since this flexibility expired on July 7, 2022. This version supersedes all previous versions of this guidance.

### 1. General guidance.

- a. Sick leave.
  - i. An employee must *always* use sick or other (paid or unpaid) leave if they are experiencing symptoms of COVID-19.
  - ii. A supervisor may approve sick leave for a period longer than three days without a doctor's note or medical documentation (ordinarily required by NARA 327, Supplement 3, para.14) if the supervisor determines that obtaining the documentation would be too burdensome on the employee.
- b. Weather and safety leave. All employees are expected to be available for appropriate work when on weather and safety leave. An employee on weather and safety leave may be directed to contact their supervisor, attend meetings, or perform work that is consistent with their work status and (if applicable) reasonable accommodation, with appropriate advance notice. An employee who is not available as required may be charged leave for any periods they are not available.

#### c. Telework.

i. <u>Recurring and ad-hoc telework</u>. A supervisor may approve up to five days per week of telework for an employee, provided that there is sufficient telework-appropriate work available. This applies to all staff, including

employees occupying positions that are not otherwise telework eligible. Supervisors are encouraged to be flexible and creative in identifying telework-appropriate work. Supervisors are not expected or required to authorize five-day-per-week telework if there is not sufficient telework-appropriate work available.

- ii. Enforced telework. For as long as COVID-19 is declared a pandemic health crisis, and in accordance with 5 C.F.R. § 550.409, employees are required to telework or take personal leave during duty hours when they are not able to access the facility, provided that they are able to telework and there is sufficient telework-appropriate work available. This applies when a facility is closed or occupancy is reduced due to COVID-19, as well as early dismissals or facility closures due to inclement weather or other emergencies. An employee who is not able to telework or does not have telework-appropriate work may be granted weather and safety leave.
- iii. All employees who telework must complete a telework agreement form here.
- d. <u>"Fully vaccinated" versus "Up-to-date"</u>. Some NARA workplace safety procedures depend on whether an individual is "fully vaccinated" while others are based on whether the individual is "up-to-date" on their COVID-19 vaccinations.
  - i. "Fully vaccinated" means it has been at least two weeks since the individual received their final dose of the primary COVID-19 vaccine series (second dose of Pfizer or Moderna or one dose of Johnson & Johnson). An individual is fully vaccinated regardless of whether they have received a vaccine booster shot.
  - ii. "Up-to-date" means an individual has recently been fully vaccinated or has received a booster shot. An individual is "up-to-date" as soon as they receive their booster. An individual is "up-to-date" if they:
    - (1) Received the second dose of a two-dose primary COVID-19 vaccine (Pfizer or Moderna) less than five months ago; or
    - (2) Received a one-dose primary vaccine (Johnson & Johnson) less than two months ago; or
    - (3) Is fully vaccinated and has also received at least one booster dose at any time.

## 2. Isolation and quarantine.

- a. All NARA employees are required to report to their supervisor if they receive a positive COVID-19 test result, experience COVID-19 symptoms, or have had a known close contact with someone else who has tested positive for COVID-19. Employees must report regardless of vaccination status and regardless of whether they are working on-site or teleworking. A close contact occurs any time one person is within 6 feet of another person for a total of 15 minutes over a 24 hour period. A "known" close contact occurs when an employee is notified that a person they have had a close contact with has tested positive or otherwise has confirmed COVID-19; a general communication notifying a general group (e.g. all facility occupants or all event attendees) that someone present at the facility or event had COVID-19 is not a "known" close contact.
- b. All NARA staff are required to check their temperature and take a daily health assessment on days they are scheduled to work at a NARA facility. Do not come to work if you are sick or have tested positive for COVID-19. Employees who experience COVID-19 symptoms are strongly encouraged to take a COVID-19 test.
- c. When a NARA employee reports a positive COVID-19 test result, COVID-19 symptoms, or a known close contact with someone else who has tested positive for COVID-19, the supervisor will isolate or quarantine the employee, following the table below.
- d. If, at any time, an employee experiences COVID-19 symptoms or tests positive for COVID-19, the supervisor will apply the procedures for isolation, regardless of other circumstances or conditions.

<b>Employee status:</b>	Required action:	Appropriate leave status:
Employee: (1) has tested positive for COVID-19; or (2) is experiencing symptoms of COVID-19, regardless of vaccination status.	The employee must be placed on isolation for at least five calendar days, beginning the day after the specimen date of the positive test or the day after the employee first experienced symptoms.  For the next 10 calendar days after testing positive or experiencing symptoms, the employee must:	If the employee experiences symptoms at any time on isolation or quarantine, they may take sick leave, annual leave, Family Medical Leave Act (FMLA) leave, leave without pay (LWOP), donated leave under the Voluntary Leave Transfer Program (VLTP), or other paid time off, such as compensatory time off and credit hours.
	<ul> <li>Monitor themselves for COVID-19 symptoms;</li> <li>Wear a face covering and maintain six-foot physical distancing at all times while in NARA facilities;</li> <li>Avoid eating and drinking around others; and</li> <li>Avoid all official business travel (unless they have an approved exception to travel in days 6-10).</li> <li>An employee who never experiences symptoms may return to work after five calendar days of isolation.</li> <li>If the employee experiences symptoms before or after being placed on isolation or quarantine, they may not return to work until all of the following conditions are met:</li> <li>(a) At least five calendar days have passed since they first experienced symptoms; and</li> <li>(b) At least 24 hours have passed since their fever is resolved without the use of fever-reducing medication; and</li> </ul>	If the employee is not experiencing symptoms while on isolation:  (a) The employee may telework up to five days per week, provided they have a signed telework agreement and sufficient telework-appropriate work is available.  (b) If the employee chooses not to telework during the isolation period, sick leave, annual leave, FMLA leave, LWOP, donated leave under the VLTP, and other paid time off, such as compensatory time off and credit hours, should be used to cover the absence.  (c) If no telework-appropriate work is available or the employee is not able to telework, they are entitled to weather and safety leave.

<b>Employee status:</b>	Required action:	Appropriate leave status:
	(c) Other COVID-19 symptoms are improving. (Per the CDC, loss of taste and smell may persist for weeks after recovery and should not, by themselves, delay the end of isolation.)	
	An employee who is extremely ill with COVID-19 or is immune-compromised will be placed on isolation for at least 10 calendar days and should consult their health care provider before returning to work.	
Employee has a known close contact (within 6 feet for longer than 15 minutes) with someone who has	The employee must be quarantined for five calendar days, beginning the day after the close contact.  If the employee is needed onsite an will have contact with the	(a) The employee may telework up to five days per week, provided they have a signed telework agreement and sufficient telework-appropriate work is available.
tested positive for COVID-19 and the employee:  (1) is not up-to-date on COVID-19 vaccinations;  and  (2) has not tested positive for COVID-	or will have contact with the public in their official duties in the 10 days after the close contact, they must take a COVID-19 test at least five days after the close contact.  (a) If the employee tests negative, they can return to the workplace. For the 10 calendar days after the close contact, the individual	(b) If the employee chooses not to telework during the quarantine period, the employee should cover the absence using sick leave, annual leave, FMLA leave, LWOP, donated leave under the VLTP, and other paid time off, such as compensatory time off and credit hours.
19 in the past 90 days.	<ul> <li>Monitor themselves for COVID-19 symptoms;</li> <li>Wear a face covering and maintain six-foot physical distancing at all times while in NARA facilities;</li> <li>Avoid eating and drinking around others; and</li> </ul>	(c) If no telework-appropriate work is available or the employee is not able to telework, they are entitled to weather and safety leave.

<b>Employee status:</b>	Required action:	Appropriate leave status:
	Avoid all official business travel (unless they have an approved exception to travel in days 6-10).	
	(b) If the employee tests positive for COVID-19 or experiences symptoms at any time, immediately follow the procedures for <b>isolation</b> , above. The isolation period begins on the date the employee first experiences symptoms or tests positive, not the date of the close contact.	
Employee has a known close contact (within 6 feet for longer than 15 minutes) with someone who has tested positive for COVID-19 and the employee:  (1) is up-to-date on COVID-19 vaccinations;  and  (2) has not tested positive for COVID-19 within the last 90 days, regardless of vaccination status.	Do not quarantine if the employee does not experience symptoms. For the 10 calendar days after the close contact, the individual must:  • Monitor themselves for COVID-19 symptoms;  • Wear a face covering and maintain six-foot physical distancing at all times while in NARA facilities;  • Avoid eating and drinking around others; and  • Avoid non-mission critical travel for the first five days after the close contact.  If the employee is needed onsite or will have contact with the public in their official duties in the 10 days after the close contact, they must take a COVID-19 test at least five days after the close contact.	N/A

<b>Employee status:</b>	Required action:	Appropriate leave status:
	negative, they can continue to work in the workplace.  (b) If the employee experiences symptoms or tests positive for COVID-19 at any time, immediately follow the procedures for <b>isolation</b> , above. The isolation period begins on the date the employee first experiences symptoms or tests positive, not the date of the close contact.	
Employee has a known close contact (within 6 feet for longer than 15 minutes) with someone who has tested positive for COVID-19 and  the employee has tested positive for COVID-19 within the last 90 days regardless of vaccination status.	Do not quarantine if the employee does not experience symptoms. For the 10 calendar days after the close contact, the individual must:  • Monitor themselves for COVID-19 symptoms;  • Wear a face covering and maintain six-foot physical distancing at all times while in NARA facilities; and  • Avoid eating and drinking around others.  If the employee experiences symptoms at any time, immediately follow the procedures for isolation, above. The isolation period begins on the date the employee first experiences symptoms, not the date of the close contact.	N/A

# 3. Time off for COVID-19 vaccines.

a. Employees are not entitled to duty time or reimbursement of costs to obtain a COVID-19 vaccination dose, including reasonable transportation costs, because the

vaccine mandate for Federal employees has been suspended.

- b. Employees are entitled to administrative leave to obtain a COVID-19 vaccine dose, including a primary dose, booster, or additional dose. Employees are also entitled to administrative leave to recover from adverse effects of obtaining a COVID-19 vaccine primary dose, booster, or additional dose.
- c. Vaccine-related administrative leave to obtain a vaccine will be recorded as administrative leave (pay code 060), with "Vaccine Leave" in the "Payroll Remarks" section. Vaccine-related administrative leave that is granted to recover from adverse effects of a vaccine is recorded as administrative leave (pay code 060), with "Vaccine Recovery Leave" in the "Payroll Remarks" section. Vaccine-related administrative leave that is granted to accompany a family member to obtain a vaccine dose is recorded as administrative leave (pay code 060), with "Vaccine Leave Family Member" in the "Payroll Remarks" section.
- d. Vaccine-related administrative leave does not count against the annual limitation of 10 work days of administrative leave per year in 5 U.S.C. § 6329a(b)(1).

Reason for the employee's request:	Appropriate leave status:
Employee requires time off to obtain a COVID-19 vaccine	Employees are entitled to up to four hours of vaccine-related administrative leave per dose to obtain COVID-19 vaccinations.
vacenic	Vaccine-related administrative leave is available only for the
	amount of time necessary to travel to the vaccination site,
	obtain a vaccine dose, and return to the work site. Typically, this should be no more than four hours.
	An employee who uses more than four hours to obtain a COVID-19 vaccine dose must submit a written explanation to their supervisor. Supervisors will not approve vaccine-related administrative leave in excess of four hours without written documentation and may, at their discretion, disapprove time in excess of four hours if delays are caused by reasons that are within the employee's control.
Employee requires time off to obtain a COVID-19 booster or for an immunocompromised employee to receive an	Employees are entitled to up to four hours of vaccine-related administrative leave to receive any authorized COVID-19 booster shot or to receive an additional dose of a COVID-19 vaccine.
additional dose.	Vaccine-related administrative leave is available only for the amount of time necessary to travel to the vaccination site,

Reason for the employee's request:	Appropriate leave status:
	obtain a vaccine dose, and return to the work site. Typically, this should be no more than four hours.
	An employee who uses more than four hours to obtain a COVID-19 vaccine dose must submit a written explanation to their supervisor. Supervisors will not approve vaccine-related administrative leave in excess of four hours without written documentation and may, at their discretion, disapprove time in excess of four hours if delays are caused by reasons that are within the employee's control.
Employee requires time off to recover from an adverse reaction to any COVID-19 vaccination dose.	Employees are entitled to up to two workdays of vaccine- related administrative leave if they have an adverse reaction to any COVID-19 vaccination dose. This applies to any adverse reaction to a primary dose, booster, or an additional dose.
	An employee who requires more than two workdays to recover must use sick leave, annual leave, FMLA leave, LWOP, donated leave under VLTP, and other paid time off, such as comp time and credit hours, for any additional time the employee is unable to work.
Employee requests leave to accompany a family member who is receiving any dose of a COVID-19 vaccination.	Employees are eligible for up to four hours of vaccine-related administrative leave per dose, per person to accompany a family member receiving a COVID-19 vaccine. This includes family members receiving a primary dose, booster, or an additional dose.

### 4. Other leave and telework scenarios.

The following table provides guidance on the appropriate leave category or telework options available, based on an employee's request for absence. If more than one of the scenarios listed below applies to an employee, the employee should work with their supervisor to determine the best leave and telework solution, based on the employee's personal circumstances and NARA's needs, from what is available for each applicable scenario below. This table consolidates flexibilities provided in NARA 327, Supplement 3, Leave and Absence, NARA 332, Telework Program, and OMB M-20-13, Updated Guidance on Telework Flexibilities in Response to Coronavirus.

Reason for the employee's request:	Appropriate leave status:
Employee is at increased risk for severe illness, as defined by the CDC.	The employee's supervisor may approve up to five days per week of ad-hoc or recurring telework through the regular telework process, provided that sufficient telework-appropriate work is available.
The employee resides with a child or adult who is not able to receive a vaccine or for whom the vaccine may not have been effective, provided that the child or adult is not in daycare, school, employment, or care outside of the home.	The employee's supervisor may approve up to five days per week of ad-hoc or recurring telework through the regular telework process, provided that sufficient telework-appropriate work is available.  Annual leave, LWOP, and other paid time off, such as comp time and credit hours, must be used for any time the employee is unable to work to provide care.
The employee is responsible for the care of a child or adult for whom daycare, school, or other caregiver is not available due to COVID-19.	The employee's supervisor may approve up to five days per week of ad-hoc or recurring telework through the regular telework process, provided that sufficient telework-appropriate work is available.  Annual leave, LWOP, and other paid time off, such as comp time and credit hours, must be used for any time the employee is unable to work to provide care.
Employee must care for a family member who: (1) has tested positive for COVID-19; or (2) is experiencing symptoms but has not tested positive for COVID-19.	The employee's supervisor may approve up to five days per week of ad-hoc or recurring telework through the regular telework process, provided that sufficient telework-appropriate work is available.  Sick leave, annual leave, FMLA leave, LWOP, donated leave under VLTP, and other paid time off, such as comp time and credit hours, must be used for any time the employee is unable to work to care for the family member.  Full-time employees are entitled to use up to 104 hours (13 workdays) per year of sick leave to provide general medical care for a family member.
Employee is subject to an isolation order or quarantine by a Federal, State, or local government public health	The employee's supervisor may approve up to five days per week of ad-hoc or recurring telework through the regular telework process, provided that sufficient telework-appropriate work is available.

Reason for the employee's request:	Appropriate leave status:
agency, including when a public health agency recommends or requests that the employee self-quarantine.	If the employee chooses not to telework during the isolation or quarantine period, sick leave, annual leave, FMLA leave, LWOP, donated leave under the VLTP, and other paid time off, such as compensatory time off and credit hours, should be used to cover the absence.  If no telework-appropriate work is available or the employee is not able to telework, they are entitled to weather and safety leave.
Employee is unable to come to work because transportation is disrupted (but the facility remains open).	The employee's supervisor may approve up to five days per week of ad-hoc or recurring telework through the regular telework process, provided that sufficient telework-appropriate work is available.  If no telework-appropriate work is available or the employee is not able to telework, annual leave, comp time, credit time, travel comp, or LWOP must be used to cover the absence.  Depending on the circumstances, particularly if there is little or no advance notice, the supervisor may allow a limited amount of weather and safety leave for the first day of the disruption or closure.
Employee requests leave for any of the above reasons but has no accrued annual or sick leave.	Annual leave may be advanced up to the amount the employee will accrue in the remainder of the leave year. Please see NARA 327, Supplement 3, para. 10 for more details.  Sick leave may be advanced in cases of serious disability or ailment, not to exceed 30 days. Please see NARA 327, Supplement 3, para. 16 for personal medical needs and para. 21 for family care.

For a definition and more information on Leave Without Pay (LWOP), please see <u>NARA 327</u>, <u>Supplement 3</u>, para. 27. For Family Medical Leave Act (FMLA) information, please see <u>NARA 327</u>, <u>Supplement 5</u>, <u>Family and Medical Leave</u>. For NARA's Voluntary Leave Transfer Program (VLTP), please see <u>NARA 327</u>, <u>Supplement 6</u>, <u>Voluntary Leave Transfer Program</u>.

#### 5. Work schedules.

a. <u>Core Hours</u>. During the COVID-19 public health emergency, employees who telework may schedule start and end times at any time between 6 a.m. and 6 p.m. local time, according to their work schedules. An employee may request a change in start and end times with 24 hours' notice. Any change is subject to supervisory approval. Changes in employee work hours are not recorded in NARA human resources systems, and supervisors who approve a change in an employee's work hours do not need to submit any forms to implement a change.

#### b. Flexible Work Schedules.

- i. All permanent, General Schedule employees, regardless of grade, are eligible for a maxiflex work schedule.
  - (1) Employees on a maxiflex work schedule may vary their start and end times, work more than eight hours per day, and complete the 80 hour per pay period (for full-time employees) work requirement in fewer than 10 days.
  - (2) Maxiflex employees may only earn credit hours or compensatory time after completing their entire work requirement for the pay period (80 hours for full-time employees), and with advance supervisory approval.
  - (3) Maxiflex employees are not entitled to night differential, holiday pay, or overtime "suffered or permitted," and will only be credited for eight hours (for full-time employees) on a Federal holiday.
- ii. The following changes in policy are effective and will supersede any conflicting provisions in NARA 327, Supplement 2, Work Hours and Premium Pay:
  - (1) Employees may request a change to a maxiflex work schedule immediately and without regard to the requirement that requests ordinarily must be submitted on the quarter. Until further notice, changes may be requested at any time but must be made effective at the start of the following pay period.
  - (2) Employees who are approved for maxiflex under this authority may telework at any time, 12:00 AM through 11:59 PM, Monday through Saturday. Maxiflex employees are not authorized to work or earn credit hours on Sundays.
  - (3) For the duration of the public health emergency, maxiflex

employees may earn more than two hours of credit hours per day, but may not carry over more than 24 credit hours (for a full-time employee) into the next pay period. A part-time employee may carry over up to 25 percent of their total hours worked each pay period. Any credit hours above the pay period limit will be forfeited at the end of the pay period and the employee is not entitled to any compensation for those hours.

iii. Supervisors may approve employee requests for maxiflex at their discretion. Supervisors who approve an employee's maxiflex request to make a change in work schedule must submit a completed NA Form 3096, Alternative Work Schedule Employee Selection Form, reflecting the new work schedule, to the Department of the Treasury, Bureau of the Fiscal Service, Administrative Resource Center (ARC), at NARAHR@fiscal.treasury.gov. ARC will record the new work schedule in FPPS, and the employee's timekeeper will record the change in Quicktime.

### c. <u>Change to part-time schedule.</u>

- i. During the COVID-19 public health emergency, employees may request to temporarily change from a full-time to a part-time work schedule immediately and without regard to the requirement that requests ordinarily must be submitted on the quarter. If approved, work schedule changes will be made effective at the start of the pay period following the date of the approval. Employees who move to a part-time work schedule under this authority may return to a full-time work schedule at the end of the COVID-19 public health emergency (or earlier), upon request.
- ii. Supervisors who receive an employee's request to make a temporary change to a part-time work schedule must first contact ARC at NARAHR@fiscal.treasury.gov. ARC will counsel the employee on the impact a change in basic work requirements will have on their retirement and other benefits. A supervisor who approves a change must submit a "Change in Work Schedule" action in FPPS.

**Point of Contact**: If you have questions or comments about leave policy, please contact Accounting Policy and Operations (XA) at <a href="mailto:quicktime@nara.gov">quicktime@nara.gov</a>. If you have questions about telework, please contact the Office of Human Capital at <a href="mailto:telework.program@nara.gov">telework.program@nara.gov</a>.